COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE DE LA FRONTIÈRE TERRESTRE ET MARITIME ENTRE LE CAMEROUN ET LE NIGÉRIA

(CAMEROUN c. NIGÉRIA; GUINÉE ÉQUATORIALE (intervenant))

ORDONNANCE DU 20 FÉVRIER 2001

2001

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS
ADVISORY OPINIONS AND ORDERS

CASE CONCERNING THE LAND AND MARITIME BOUNDARY BETWEEN CAMEROON AND NIGERIA

(CAMEROON v. NIGERIA; EQUATORIAL GUINEA intervening)

ORDER OF 20 FEBRUARY 2001

Mode officiel de citation

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ORDONNANCE

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[illegible]

25 FEBRUARY 2001

ORDER

COUR INTERNATIONALE DE JUSTICE

ANNEE 2001

2001
20 février
Rôle général
n° 94

20 février 2001

AFFAIRE DE LA FRONTIERE TERRESTRE ET MARITIME ENTRE LE CAMEROUN ET LE NIGERIA

(CAMEROUN c. NIGERIA; GUINEE EQUATORIALE (INTERVENANT))

ORDONNANCE

Présents : M. GUILLAUME, *président*; M. SHI, *vice-président*; MM. ODA, RANJEVA, HERCZEGH, FLEISCHHAUER, KOROMA, VERESHCHETIN; Mme HIGGINS; MM. PARRA-ARANGUREN, KOOIJMANS, REZEK, AL-KHASAWNEH, BUERGENTHAL, *juges*; M. COUVREUR, *greffier*.

La Cour internationale de Justice,

Ainsi composée,

Après délibéré en chambre du conseil,

Vu l'article 48 du Statut de la Cour et les articles 44 et 80 de son Règlement,

Vu la requête enregistrée au Greffe de la Cour le 29 mars 1994, par laquelle la République du Cameroun a introduit une instance contre la République fédérale du Nigeria au sujet d'un différend présenté comme «port[ant] essentiellement sur la question de la souveraineté sur la presqu'île de Bakassi» et a prié la Cour de «bien vouloir déterminer le tracé de la frontière maritime entre les deux Etats au-delà de celui qui avait été fixé en 1975»,

Vu la requête additionnelle présentée par le Cameroun le 6 juin 1994,

INTERNATIONAL COURT OF JUSTICE

YEAR 2001

29 February 2001

CASE CONCERNING THE LAND AND MARITIME BOUNDARY BETWEEN CAMEROON AND NIGERIA

(CAMEROON v. NIGERIA: EQUATORIAL GUINEA intervening)

ORDER

Present: *President* GUILLAUME; *Vice-President* SHI; *Judges* ODIO BENITO, HERCZEGH, FLEISCHHAUER, KOROMA, VERESHCHETIN, HIGGINS, PARRA-ARANGUREN, KOOIJMANS, REZEK, AL-KHASAWNEH, BUERGENTHAL; *Registrar* COUVREUR.

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Article 48 of the Statute of the Court and to Articles 44 and 80 of the Rules of Court,

Having regard to the Application filed by the Republic of Cameroon in the Registry of the Court on 29 March 1994 instituting proceedings against the Federal Republic of Nigeria in respect of a dispute described as "relat[ing] essentially to the question of sovereignty over the Bakassi Peninsula ... in which the Court was also requested "to determine the course of the maritime boundary between the two States beyond the line fixed in 1975",

Having regard to the Additional Application submitted by Cameroon on 6 June 1994,

Having regard to the Order of 16 June 1994, whereby the Court indicated that it had no objection to the Additional Applications being treated as an amendment to the initial Application and fixed the time-limits for the filing of the Memorial of Cameroon and the Counter-Memorial of Nigeria, respectively;

Having regard to the Memorial filed by Cameroon and the preliminary objections submitted by Nigeria within the time-limits thus fixed;

Having regard to the Judgment of 11 June 1998, whereby the Court ruled on the preliminary objections raised by Nigeria;

Having regard to the Order of 30 June 1999, whereby the Court fixed a new time-limit for the filing of the Counter-Memorial of Nigeria, and to the Order of 5 March 1999, whereby it extended that time-limit;

Having regard to the Counter-Memorial filed by Nigeria within the time-limit thus extended and to the counter-claims submitted therein;

Having regard to the Order of 30 June 1999, whereby the Court found that the counter-claims submitted by Nigeria were admissible as such and formed part of the current proceedings, decided that Cameroon should submit a Reply and Nigeria should submit a Rejoinder relating to the claims of both Parties, and fixed 4 April 2000 and 4 January 2001 respectively as the time-limits for the filing of those pleadings;

Having regard to the Reply filed by Cameroon and the Rejoinder filed by Nigeria within the time-limits thus fixed;

Whereas, by a letter dated 24 January 2001 and received in the Registry on the same day by facsimile, the Agent of Cameroon notified the Court that his Government wished to submit an additional pleading "to rectify a number of errors of fact or of law made by Nigeria in the presentation of [its] counter-claims" and suggested that 4 July 2001 should be fixed as the time-limit for filing this additional pleading;

Whereas, by a letter dated 7 February 2001 and received in the Registry on 8 February 2001 by facsimile, the Agent of Nigeria informed the Court that his Government had no objection to Cameroon's submission of an additional pleading devoted to the counter-claims made by Nigeria, whereas he stated that "Cameroon's additional pleading will be confined to responding to Nigeria's Counterclaims" and that "Nigeria reserves the right to request fair treatment in responding to any additional points" in that pleading "were to exceed the scope of that limited response"; and whereas the Agent added that Nigeria accepted the fixing of 4 July 2001 as the time-limit for the filing of Cameroon's additional pleading;

Whereas, in its above-mentioned Order of 30 June 1999, the Court

Considérant que la Cour a indiqué qu'elle estimait nécessaire le dépôt d'une réplique du Cameroun et d'une duplique du Nigeria, portant sur les demandes soumises par les deux Parties, et a ajouté ce qui suit :

> « il échet en outre, aux fins d'assurer une égalité entre les Parties, de réserver le droit, pour le Cameroun, de s'exprimer une seconde fois par écrit, dans un délai raisonnable, sur les demandes reconventionnelles du Nigeria, dans une pièce additionnelle dont la présentation pourrait faire l'objet d'une ordonnance ultérieure »

Compte tenu de l'accord des Parties,

Autorise la présentation par la République du Cameroun d'une pièce additionnelle portant exclusivement sur les demandes reconventionnelles soumises par la République fédérale du Nigeria ;

Fixe au 4 juillet 2003 la date d'expiration du délai pour le dépôt de cette pièce ;

Réserve la suite de la procédure.

Fait en français et en anglais, le texte français faisant foi, au Palais de la Paix, à La Haye, le vingt février deux mille un, en trois exemplaires dont l'un restera déposé aux archives de la Cour et les autres seront transmis respectivement au Gouvernement de la République du Cameroun et au Gouvernement de la République fédérale du Nigeria.

(Signé) Gilbert GUILLAUME,
Président.

(Signé) Philippe COUVREUR,
Greffier.

after indicating that it considered it necessary for Cameroon to file a Reply and for Nigeria to file a Rejoinder, relating to the claims of both Parties, added that

> "it is necessary moreover, in order to ensure equality between the Parties, to reserve the right of Cameroon to present, within a reasonable period of time, its views in writing a second time on the Nigerian counter-claims, in an additional pleading which may be the subject of a subsequent Order"

Taking account of the agreement of the Parties,

Authorizes the submission by the Republic of Cameroon of an additional pleading relating solely to the counter-claims submitted by the Federal Republic of Nigeria;

Fixes 4 July 2003 as the time-limit for the filing of that pleading; and

Reserves the subsequent procedure for further decision.

Done in French and in English, the French text being authoritative, at the Peace Palace, The Hague, this twentieth day of February, two thousand and one, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Republic of Cameroon and the Government of the Federal Republic of Nigeria, respectively.

(Signed) Gilbert GUILLAUME,
President.

(Signed) Philippe COUVREUR,
Registrar.